

AO 91 (Rev. 11/11) Criminal Complaint

/s/Nick Coffey 4-6-2023

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

FILED

APR - 7 2023

United States of America)

v.)

Jiu Bing Lin,)

Case No. M-23- 219 -SM)

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIS. OKLA.
BY ASB, DEPUTY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2021 through April 5, 2023 in the county of Oklahoma and Logan in the
Western District of Oklahoma, the defendant(s) violated:Code Section
21 U.S.C. § 846Offense Description
Drug Conspiracy


This criminal complaint is based on these facts:

See attached Affidavit of Special Agent, Sean Lively, DEA, which is incorporated and made a part hereof by reference.

☒ Continued on the attached sheet.

 Complainant's signature
 Sean Lively, Special Agent, DEA
 Printed name and title

Sworn to before me and signed in my presence.

Date: April 7, 2023

 Judge's signature
City and state: Oklahoma City, OklahomaSUZANNE MITCHELL, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Sean Lively, a Special Agent (SA) of the Drug Enforcement Administration (DEA), being duly sworn, depose and state as follows:

1. I am “an investigative or law enforcement officer of the United States” within the meaning of Section 2510(7) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, United States Code, Section 2516.

2. I have been a Special Agent with DEA since December 2019. I have worked numerous conspiracy investigations, including Title III wire cases, and complex, multi-jurisdictional investigations. I am well versed in a multitude of investigative methods, including working confidential sources, interviews, arrests, search warrants, seizure warrants, and analyzing cellular phone data.

PURPOSE OF AFFIDAVIT

3. This affidavit is submitted in support of a criminal complaint charging **Jiu Bing Lin (LIN)** for conspiring to manufacture and distribute 1,000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846. The facts contained in this affidavit are offered to establish probable cause, and do not represent every fact known to myself or other participating agents.

FACTS AND CIRCUMSTANCES

4. A joint DEA and OBN investigation has revealed that LIN is engaged in the distribution of black-market marijuana. On October 19, 2022, a federal grand jury sitting in the Western District of Oklahoma returned an indictment charging Yuan Yuan Luo, her husband Liang Wu (“Liang”), his sister Yan Bing Wu (“Yan Bing”), and another family member Tongfei Wu (“Tongfei”) with a money laundering conspiracy and substantive counts of laundering money derived from marijuana trafficking. The charges in the indictment spanned from April 2021 through March 2022. See Doc.1, United States v. Yuan Yuan Luo, et al., CR-22-449-F (W.D. Okla. 2022).

5. Pursuant to those charges, Luo, Liang, and Yan Bing were arrested by the DEA on November 8, 2022, at which time investigators executed a search warrant at, among other places, their residence at 5705 Country Club Terrace, Edmond, Oklahoma 73025 (the “Country Club Residence”). While executing the search warrant, investigators found numerous documents that suggested the residents were tied to a marijuana grow site at 355630 E 5400, Maramec, Pawnee County, Oklahoma (the **Maramec Property**). For instance, there were numerous Metrc¹ documents

¹ Metrc—whose acronymic trade name is derived from “marijuana enforcement tracking reporting compliance”—is the web-based software platform selected by the Oklahoma Medical Marijuana Authority (“OMMA”) as the statewide tracking system used by state authorities to determine if OMMA licensees are in compliance with the state’s seed-to-sale system and other regulatory requirements. Specifically, licensees operating grows are required to register them with OBN and to affix tags to the plants. They are also required to document the marijuana produced and the intended destination of the product.

and receipts for purchases for the **Maramec Property**. Additionally, when investigators found one of the residents, Feng Lin, he was sleeping in his bedroom that also contained a number of bank documents in his name, registered to the **Maramec Property**. His driver's license also listed the **Maramec Property's** address as his home address. Finally, one of the vehicles at the residence, a Honda Odyssey van with Oklahoma license plate MHA422 (the "Honda Van") was registered to the **Maramec Property**. In short, all of this suggested that the residents of the Country Club Residence had some type of business relationship with the **Maramec Property**. Notably, investigators also located approximately \$50,000 in receipts from a store named "Hydro Easy Grow" under an account for Jack Lin LLC.

6. On November 29, 2022, agents with the Oklahoma Bureau of Narcotics (OBN) conducted an inspection at a marijuana grow located at the **Maramec Property**. There are two marijuana farms registered with OBN at this property: (1) Jack Lin LLC (OBN registration number 3593883), and (2) DDLQ LLC (OBN registration number 10004276). LIN is the listed owner and contact person for Jack Lin LLC.

7. During the inspection, two individuals that lived at the property, Huiying Wu (HUIYING) and Lin HUANG (HUANG), led OBN agents on a tour. While touring the facility, OBN agents asked if there was any marijuana in the residence, to which they were shown three duffel bags which contained approximately 75 pounds of undocumented marijuana. OBN Agents observed no Metrc tags on the processed marijuana, nor was anyone able to provide any paperwork associated with

it. HUIYING stated to investigators that someone with a transport license was supposed to arrive to bring the marijuana to a testing facility. OBN agents were skeptical, however; the marijuana appeared to be destined for sale on the black market because it was not labeled but was nevertheless vacuum-sealed and stored in duffle bags, as such packaging is commonly used for distribution on the black market. Moreover, it seemed unlikely that a testing facility would in fact test the approximately 75 pounds of marijuana. I know from training and experience that testing facilities only take small samples of processed marijuana and would never test such a large quantity.

8. There were other indications the **Maramec Property** was engaged in black-market marijuana distribution. For starters, throughout the grow houses on the property, OBN personnel observed several hundred plants lacking METRC tags. Further, while some plants did contain tags, the tags were all Jack Lin LLC tags—not DDLQ LLC tags, which investigators found unusual given that DDLQ LLC is also registered to the **Maramec Property**. Additionally, upon being asked to see sales documents for Jack Lin LLC's marijuana sales, HUIYING could only produce transportation manifests, not sales documents, as required to be kept by Oklahoma law. And further solidifying the connection between the **Maramec Property** and the Country Club Residence, these transportation manifests did in fact list Feng Lin and the Honda Van as the designated transporter and transporting vehicle for Jack Lin LLC.

9. On January 10, 2023, investigators with OBN, DEA, Oklahoma State Fire Marshals, Department of Environmental Quality, and the Pawnee County Sheriff's Office conducted a search warrant at the **Maramec Property**.

10. During the execution of the search warrant, investigators seized approximately 17,334 marijuana plants and approximately 745 pounds of marijuana throughout the property. In addition, while searching a trailer located on site, investigators located numerous electric bills from recent months for the property in the name of LIN.

11. Law enforcement has now confirmed that LIN is in fact the owner of both Jack Lin LLC and the **Maramec Property**. Records show that the property at 355630 E 5400rd, Maramec, Oklahoma, is owned by Yanyun Zhu—whom law enforcement documents identify as LIN's wife. The two were married on October 24, 2002, in North Carolina. In addition, pursuant to a search warrant, OBN Agent Jehle obtained financial records for Jack Lin LLC; in those records, inter alia, LIN signed an "Affidavit for sole member of limited liability company" stating he, LIN, was the sole owner of Jack Lin LLC.

12. I know from my training and experience that individuals engaged in drug trafficking or other criminal activity will often place assets in the names of other individuals in order to hide assets from law enforcement, and I believe that is what occurred here. A cooperating defendant (CD1) has also stated that the **Maramec Property** was being used in furtherance of black-market marijuana distribution, and

that the **Maramec Property** was placed in the name of LIN's wife to conceal LIN's ownership of the property.

13. Additional investigation has established that LIN owns another marijuana grow site. According to records from the Logan County Assessor's Office, LIN owned the property at 13586 US 77, Mulhall, Oklahoma (the **Mulhall Property**). This property is registered as YYL LLC, a marijuana grow facility registered with OBN under the name Qin Fang—the husband of Yan Bing (Fang was also located at the Country Club Residence the day of Yan Bing's arrest).

14. On January 31, 2023, OBN inspected the **Mulhall Property**. Like the **Maramec Property**, evidence at the **Mulhall Property** indicated the owners are engaged in black-market marijuana distribution: there were multiple duffle bags containing vacuum-sealed marijuana and plastic totes full of processed marijuana, which were not labeled and thus not documented. Closer inspection showed there was over one hundred pounds of undocumented processed marijuana ready for immediate sale. In addition, investigators located several hundred marijuana plants that contained no Metrc tags. In short, it was clear to investigators that the **Mulhall Property**, owned by LIN, was not complying with Oklahoma's regulatory regime for the production of medicinal marijuana and was instead supplying the black market. CD1 has since stated that the **Mulhall Property** was being used in furtherance of black-market marijuana distribution and that LIN listed YYL LLC's registered owner as Qin Fang to hide LIN's true connection to the property.

15. On March 15, 2023, OBN Agents conducted a follow-up inspection at the **Mulhall Property** and encountered two individuals on site: Wen Wang and Xiaodong Ren. Xiaodong Ren identified himself as a worker and manager of YYL LLC. Wen said he did not work at the grow site. Xiaodong stated that Rax Green was not currently operating because they did not have sufficient funding and their building projects on the property (far east side) had been halted.

16. Xiaodong said a day or two after OBN initially inspected the property he was instructed by his boss to cut the plants down. Yet Xiaodong could not tell OBN where these marijuana products had gone, nor did he have any records on site showing how he disposed of the marijuana. A commercial grow site can burn or destroy marijuana roots, stems, fan leaves, seeds, or stalks without the use of a licensed medical marijuana disposal company. Otherwise, the product must be destroyed by licensed disposal company and would require records, which law enforcement was not provided on site.

17. Also, during the inspection, in the red grow house on the building, agents located four large black trash bags with marijuana bud in them. These bags and the marijuana flower in them were undocumented/untagged and had no Metrc stickers on them. OBN informed Xiaodong that this marijuana could not stay on this property in its current form because it was untagged/undocumented and that this was the second time OBN had found untagged and undocumented marijuana product on the property. Xiaodong decided to surrender the marijuana to OBN. The total weight of this marijuana was approximately 84 lbs.

18. Xiaodong Ren identified his boss as Qin Fang, who is the current registrant of YYL LLC, per OBN records. Xiaodong also spoke of his landlord, who he subsequently identified as LIN. OBN Agents showed pictures of Qin Fang and LIN to Xiaodong for these positive identifications.

19. Finally, I know from my training and experience that black market marijuana operations such as the **Mulhall Property** and the **Maramec Property** traffic in significant amount of marijuana plants and processed marijuana, easily exceeding 1,000 marijuana plants and 1,000 kilograms of marijuana product. This is also consistent with what CD1 has informed investigators about these specific farms' black market operations.

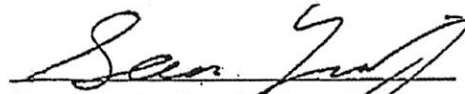
20. On April 5, 2023, OBN and DEA Agents executed a state search warrant at LIN's primary residence, 2317 Ranch House Rd, Edmond, Oklahoma County. LIN and a female were both located inside the residence and detained without incident. A systematic search of the residence uncovered 10 firearms throughout the house—specifically, four handguns and six rifles. Of note, one of the carbine rifles seized was in the attic next to a metal tin of over 300 .223 caliber rounds of armor piercing ammunition. Agents also found what appeared to be drug ledgers inside the residence.

21. In addition, numerous documents tying LIN to the both the **Maramec** and **Mulhall Property** – e.g., deeds, bills, articles of organization – were located inside the residence, demonstrating his intimate involvement in, *inter alia*, owning, insuring, licensing, and facilitating both grow operations. In addition, bank account

documents tying **LIN** to the **Maramec Property** were located during the warrant execution. Finally, documents recovered indicated that **LIN** signed a warranty deed over to an individual named Andy Lin on March 13, 2023. Investigators believe that this was a fraudulent transfer and an attempt to further distance **LIN** from the **Mulhall Property**: According to the Logan County Assessor's office, there is no mortgage on the **Mulhall Property** and the office does not have documents indicating the **Mulhall Property** was sold for anything of value.

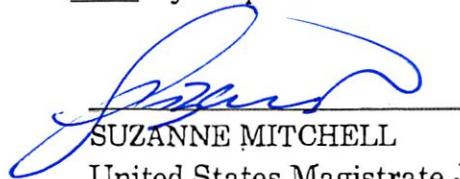
CONCLUSION

22. Based on the facts set forth in this affidavit and my training and experience, there is probable cause to believe that **Jiu Bing LIN** has conspired to manufacture and distribute marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846. I respectfully request a warrant be issued for the arrest of the aforementioned individual.



Sean Lively, Special Agent
U.S. Drug Enforcement Administration

Sworn and subscribed before me this 7th day of April 2023.



SUZANNE MITCHELL
United States Magistrate Judge